

PESTICIDE DEALER REGISTRATION

Information and Requirements

Registration Requirements:

Each business owner and new business owner must register as a pesticide dealer before offering pesticide products for sale to an individual or business for application. If a business has more than one location from which pesticides are sold, each physical location must register as a dealer. Dealer registration is nontransferable to new owners.

A pesticide is any substance used to control an unwanted plant, insect or other organism. Pesticides include herbicides, insecticides, disinfectants, fungicides, rodenticide, defoliants and plant regulators. Examples include swimming pool chemicals, flea and tick collars, disinfectants and weed control chemicals.

Exceptions:

Businesses that sell only pesticide products that: **1)** are general use pesticides that are intended to be applied undiluted, (ready-to-use); **AND, 2)** are labeled only for use by homeowners or occupants in and around family dwellings and associated structures; are exempt from the dealer registration requirements.

Businesses that only apply pesticides are not required to register as pesticide dealers.

Registration Procedure

Registration is accomplished by completing a pesticide dealer registration application and mailing it along with the appropriate fee to the address above. The required fee is based on your annual sales of pesticides:

If annual sales of pesticides are less than \$2,500, the registration fee is \$25.

If annual sales of pesticides are \$2,500 or greater, the registration fee is \$100.

The registration period begins July 1 and expires June 30 the following year.

Display Certificate

Each dealer must display the registration certificate that they receive in a prominent location which can be seen by the public.

Report address or name change

You are required to notify the Kansas Department of Agriculture of any changes in business address or business name by the tenth day of the month following the month in which the change occurred.

Restricted Use Pesticide

All restricted use pesticides (RUP) are identified as restricted use on the front top panel of the pesticide product label.

RUPS may only be sold for use by appropriately certified commercial or private applicators.

Each dealer who sells restricted use pesticides (RUP-s) must keep records of these sales. Each sales record is subject to inspection by KDA and must be maintained for two years.

Required information for RUP sales:

- ▶ Name & address of the residence or principal place of business of the purchaser.
If the product has been delivered to someone other than the purchaser, you must also record their name & the address of their residence or principal place of business.
- ▶ Name & certification number of the person who will use or supervise the use of the RUP
- ▶ Categories of certification if commercial applicator - **Ensure that the certification category/subcategory is appropriate for uses appearing on the product label.**
- ▶ Expiration date of the certificate
- ▶ Name of the state issuing the certificate
- ▶ Complete name of product
- ▶ EPA Registration Number of product
- ▶ If it is a state special local need, (SLN), include that registration number
- ▶ Quantity sold
- ▶ Date of sale

Additional information is required if the dealer makes a restricted use product available to an uncertified person for use by a certified applicator.

- ▶ Name & address of the residence or principal place of business of the uncertified individual.
- ▶ Name & address of the residence or principal place of business of the certified applicator who will use the product.

Annual Report of RUP Sales

Each dealer must submit an annual report of sales for each restricted use pesticide product sold. This may be reported on the back of the registration renewal application form or in a separate format.

The report shall include:

- # Complete name of the RUP product
- # EPA Registration Number as shown on the product label
- # SLN registration number, if any
- # Quantity of restricted use pesticide product sold

Quantities of pesticide products dispensed through equipment as part of the business application service should not be reported as pesticide sales.

Failure To Comply

Each pesticide dealer is responsible for the acts of each individual employed by such dealer in the solicitation and sale of pesticides and all claims and recommendations for use of pesticides. The dealer-s registration is subject to denial, suspension or revocation.

Sales of RUPs for use by uncertified applicators are in violation of federal law. Documented violations are subject to fines of up to \$5,500 per occurrence by the Environmental Protection Agency.

Provisions of the Kansas Pesticide Law covering dealer registration are: K.S.A. 2-2438a(n), 2-2438a(q), 2-2438a(s), 2-2454, 2-2469, K.A.R. 4-13-1, 4-13-29, 4-13-30, 4-13-31, 4-13-32
Other: Environmental Remediation: 2-3713(a)(4)